

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application Number : 09/720,096 Confirmation No.: 6906  
Applicant : Dan Nilsson, *et al.*  
Filed : February 1, 2001  
Title : METHOD OF PREVENTING BACTERIOPHAGE INFECTION OF  
BACTERIAL CULTURES  
TC/Art Unit : 1656  
Examiner: : David J. Steadman, Ph.D.  
  
Docket No. : 54337.000009  
Customer No. : 21967

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO REQUEST FOR CLARIFICATION OF MICROBIAL DEPOSIT**

Sir:

This response is submitted in response to a telephone conference initiated by Examiner Steadman on October 14, 2010. In this conversation the Examiner noted that the Deposit information dated October 18, 2002 signed by Applicant's representative (relating to DN105 and MBP71) seemed to be incorrect in referring to these deposited materials as plasmids rather than microbial strains. In response thereto Applicants confirm that DN105 (DSM 12289) and MBP71 (DSM 12891) are microbial strains. Applicants further note that this is clear from the specification as-filed, e.g., the description of Figures 1-5 at pages 14-15 as well as the examples wherein these materials are referred to as microbial strains. Therefore, the microbial nature of these deposited materials would be clear to one skilled in the art.

Applicants also submit that this deposit information is not necessary to enable or describe the claimed invention. Applicants respectfully submit that this case should be in condition for allowance. An early notice to that effect is respectfully solicited. The Examiner is invited to contact the undersigned directly at (703) 714-7645 if it would be helpful for resolution of any remaining issues.

It is respectfully submitted that no fee is required for entry of this response. However, in the event any fees are deemed necessary, the Commissioner is authorized to charge such fees to the undersigned's Deposit Account No. **50-0206**.

Respectfully submitted,  
HUNTON & WILLIAMS LLP

Dated: October 18, 2010

By: \_\_\_\_\_



Robin L. Teskin  
Registration No. 35,030

Hunton & Williams LLP  
Intellectual Property Department  
1900 K Street, N.W., Suite 1200  
Washington, DC 20006-1109  
(202) 955-1500 (telephone)  
(202) 778-2201 (facsimile)

RLT/dkt